

March 18, 2016

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
March 18, 2016

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD FEBRUARY 19, 2016

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD FEBRUARY 19, 2016?**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

**MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.**

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	147.....	18
Agriculture .....	339.....	20
Arts Council .....	11.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,422.....	115
Children and Family Services .....	2,543.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	306.....	69
Commerce Commission .....	63.....	0
Corrections.....	11,840.....	98
Criminal Justice Authority .....	53.....	7
Deaf and Hard of Hearing Comm.....	5.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	75.....	6
Employment Security.....	1,189.....	32
Environmental Protection Agency.....	709.....	18
Financial & Professional Regulation.....	429.....	49
Gaming Board .....	173.....	6
Guardianship and Advocacy .....	100.....	8
Healthcare and Family Services .....	1,968.....	26
Historic Preservation Agency.....	133.....	17
Human Rights Commission.....	14.....	2
Human Rights Department.....	127.....	9
Human Services .....	13,180.....	75
Illinois Torture Inquiry Relief Commission .....	2.....	1
Independent Tax Tribunal .....	1.....	0
Insurance .....	246.....	16
Investment Board .....	3.....	2
Juvenile Justice.....	1,092.....	26
Labor.....	84.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	15.....	2
Law Enforcement Training & Standards Bd. ....	19.....	2
Lottery.....	133.....	8
Military Affairs .....	130.....	3
Natural Resources .....	1,175.....	31
Pollution Control Board .....	19.....	2
Prisoner Review Board.....	20.....	0
Property Tax Appeal Board.....	34.....	1
Public Health.....	1,137.....	40
Racing Board.....	2.....	1
Revenue.....	1,594.....	53
State Fire Marshal .....	122.....	12
State Police.....	1,051.....	10
State Police Merit Board .....	6.....	2
State Retirement Systems.....	102.....	3
Transportation .....	3,790.....	0
Veterans' Affairs .....	1,403.....	10
Workers' Compensation Commission.....	122.....	11
<b>TOTALS .....</b>	<b>47,196.....</b>	<b>877</b>

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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**C. Illinois Department of Corrections – proposed exemption (continued from January 15, 2016 and February 19, 2016 meetings)**

Position Number	40070-29-08-000-01-01
Functional Title	Chief Labor Counsel
Incumbent	Vacant
Supervisor	Governor’s Office Chief Labor Counsel
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**D. Illinois Department of Human Services – proposed exemption (continued from January 15, 2016 and February 19, 2016 meetings)**

Position Number	40070-10-00-000-00-01
Functional Title	Chief Labor Counsel
Incumbent	Vacant
Supervisor	Governor’s Office Chief Labor Counsel
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E1.Illinois Dept. of Commerce and Economic Opportunity – proposed exemption (continued from February 19, 2016 meeting)**

Position Number	40070-42-10-600-00-01 <sup>A</sup>
Functional Title	Regional Economic Development/West Central Region
Incumbent	Vacant
Supervisor	Regional Economic Development Deputy Director who reports to the Director
Location	Sangamon County

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<sup>A</sup> Previous exemption was rescinded on February 20, 2015 due to extended vacancy.

**E2. Illinois Dept. of Commerce and Economic Opportunity – proposed exemption (continued from February 19, 2016 meeting)**

Position Number	40070-42-00-090-05-01 <sup>B</sup>
Functional Title	Assistant Deputy Director, Office of Trade and Investment
Incumbent	Vacant
Supervisor	Deputy Director, Office of Trade and Investment who reports to the Director
Location	Cook County

**CMS Recommendation:** “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of the requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

**F. Illinois Department of Central Management Services – proposed exemption**

Position Number	40070-37-50-200-00-01
Functional Title	Comptroller, Office of Finance and Management
Incumbent	Vacant
Supervisor	Chief Financial Officer who reports to the Director
Location	Sangamon County

**CMS Recommendation:** “This position meets the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**G. Illinois Department of Insurance – proposed exemption**

Position Number	40070-14-40-000-00-01
Functional Title	Health Information Technology Exchange Program Director <sup>C</sup>
Incumbent	Brian P. Gorman, Elizabeth Diaz-Castillo <sup>D</sup>
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

<sup>B</sup> Previous exemption was rescinded on November 15, 2013 due to extended vacancy.

<sup>C</sup> This position was granted exemption on March 16, 2012 for two years which was extended on February 21, 2014 for an additional two years. On January 15, 2016 the position was granted exemption through March 18, 2016.

<sup>D</sup> There is an approved Additional Identical which expires on March 18, 2016.

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

**C: Chief Labor Counsel (Corrections)**

**D: Chief Labor Counsel (Human Services)**

**E1: Regional Economic Development/West Central Region (Commerce and Economic Opportunity)**

**E2: Assistant Deputy Director, Office of Trade and Investment (Commerce and Economic Opportunity)**

**F: Comptroller, Office of Finance and Management (Central Management Services)**

**G: Health Information Technology Exchange Program Director (Insurance)**

**VI. CLASS SPECIFICATIONS**

**A. Governing Rule – Section 1.45 Classification Plan**

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

The following class titles have been submitted for abolishment, creation, and revision by the Director of the Illinois Department of Central Management Services (CMS):

**B. Boiler Safety Audit Specialist (create)  
Boiler Safety Specialist (revise)**

Classification Analysis: “The Office of the Illinois State Fire Marshal requested the establishment of a new class specification, Boiler Safety Audit Specialist. The plan is for the Boiler Safety Audit Specialist to accept assignments statewide from the Chief

Inspector to perform audits and reviews of companies required by the Illinois Boiler Repairer Act and the Board of Boiler Rules which includes National Board Stamp Reviews, Illinois Authorizations, Safety Valve Repairers and Owner Users. The Office of the Illinois State Fire Marshal also requested the revision of the Boiler Safety Specialist in the Knowledge, Skills and Abilities sections. In the Education and Experience section, it was added that candidates must pass the examination by the National Board of Boiler and Pressure Vessel Inspectors of North America within the probationary time period.”

- C. **Health Services Investigator I Option A (abolish)**
- Health Services Investigator I Option B (abolish)**
- Health Services Investigator II Option A (revise)**
- Health Services Investigator II Option B (abolish)**
- Health Services Investigator II Option C (revise)**
- Health Services Investigator II Option D (abolish)**
- Health Services Investigator I (create)**

Classification Analysis: “Recent changes to the Controlled Substance Act and pharmacy licensing and degree curricula have led to a review of the State of Illinois classifications of the Health Services Investigator I (HSI 1) and Health Services Investigator II (HSI 2) titles. When consulting with the Illinois Department of Financial and Professional Regulation (DFPR) regarding these changes, their response was that per the changes to this Act "only the Chief of Investigations may be appointed a Controlled Substance Inspector (CSI) by the Director of the Department", so the HSI1 Option B (CSI), the HSI 2 Option B (CSI) and the HSI 2 Option D (Pharmacy/CSI) titles can no longer be utilized for this type of work.

Modifications to the class specifications were made to remove CSI language and the related options from those sections of the specifications that reference this type of work, while also updating the examples of work to keep current with any changes to these titles. Additionally, the education and experience requirements of the HSI 2 Option C (Pharmacy) class were revised. The experience requirement remains set at ‘five years of professional experience in the practice of pharmacy immediately prior to appointment’, but the education requirement has been changed to "current licensure as a registered pharmacist in the State of Illinois" as the primary benchmark and the reference to education has been removed.

Also DFPR has expressed a need to keep the HSI 2 Option C (Pharmacy), since this position level ‘contains the qualifications needed for deputy pharmacy coordinators in the Pharmacy Practice Act, Section 11 (d)’ and ‘has functioned in a lead worker capacity for the Drug Compliance Investigator title.’”

- D. **Juvenile Justice School Counselor (create)**

Classification Analysis: “The Department of Juvenile Justice (DJJ) has requested a study be conducted into creating a new class of positions to meet the challenges of identifying, educating and documenting the progress of youth in correctional settings

that are in need of education, counseling and related services. This class will encompass school counselors that are licensed educators that will be responsible to counsel and provide guidance to youths in the furtherance of their education. Positions that are allocated to the Juvenile Justice School Counselor must also record data in each student's individual education plan and other official documents, provide meaningful analysis of that data, and monitor the school district's and facility's adherence to state and federal education mandates. Positions in this class will also work as part of a team that will evaluate and improve teaching methods and strategies for the classroom and further the goals of the agency to improve outcomes for youth in the justice system.

The Department of Central Management Services (DCMS) has developed this proposed Juvenile Justice School Counselor class specification in conjunction with DJJ to be a professional peer of educators, special education teachers, and other instructional and guidance staff at each juvenile justice facility. Each position will report to the principal of each facility school and operates in order to meet the state and federal standards that are in place to ensure that a free appropriate public education be available to all eligible youth in the custody of the Department of Juvenile Justice.”

**E. Special Education Resources Coordinator (create)**

Classification Analysis: “The Department of Juvenile Justice (DJJ) has requested a study be conducted into creating a new class of positions to meet the challenges of identifying, educating and documenting the progress of youth in correctional settings that are in need of special education and related services. This class will encompass professional educators that will be primarily responsible to record data in each student's individual education plan and other official documents, provide meaningful analysis of that data, and monitor the school district's and facility's adherence to state and federal special education mandates. Positions in this class will work as part of a team that will evaluate and improve teaching methods and strategies for the classroom and further the goals of the agency to improve outcomes for youth in the justice system. The Department of Central Management Services (DCMS) has developed this proposed Special Education Resources Coordinator class specification in conjunction with DJJ to be a professional peer of special education teachers, other instructional and guidance staff at each juvenile justice facility. Each position reports to the principal of each facility school and operates with guidance from the special education program director in order to meet the state and federal standards that are in place to ensure that a free appropriate public education be available to students with disabilities who are in correctional facilities.”

**WILL THE COMMISSION APPROVE THE ABOLISHMENT, CREATION, AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON APRIL 1, 2016?**

- B. Boiler Safety Audit Specialist (create)**  
**Boiler Safety Specialist (revise)**
- C. Health Services Investigator I Option A (abolish)**  
**Health Services Investigator I Option B (abolish)**  
**Health Services Investigator II Option A (revise)**  
**Health Services Investigator II Option B (abolish)**  
**Health Services Investigator II Option C (revise)**  
**Health Services Investigator II Option D (abolish)**  
**Health Services Investigator I (create)**
- D. Juvenile Justice School Counselor (create)**
- E. Special Education Resources Coordinator (create)**

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?**

VII. PERSONNEL RULES

**A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules**

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them. If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

**B. None submitted**

**WILL THE COMMISSION DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?**

March 18, 2016

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

<b>Agency</b>	1/31/16	<b>2/29/16</b>	2/28/15
Central Management Services	2	<b>2</b>	1
Children and Family Services	0	<b>0</b>	4
Employment Security	0	<b>1</b>	0
Financial and Professional Regulation	0	<b>1</b>	0
Healthcare and Family Services	4	<b>5</b>	5
Human Services	11	<b>15</b>	4
Insurance	1	<b>2</b>	1
Juvenile Justice	1	<b>0</b>	0
Natural Resources	13	<b>6</b>	4
State Retirement Systems	3	<b>3</b>	0
Transportation	5	<b>7</b>	9
Workers Compensation Commission	3	<b>3</b>	0
<b>Totals</b>	43	<b>45</b>	28

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-3-16**

Employee	LaToya Pamplin	Appeal Date	7/20/15
Agency	Human Services	Decision Date	3/04/16
Appeal Type	Discharge	Proposal for	Discharge upheld.
ALJ	Andrew Barris	Decision	

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**DA-17-16**

Employee	Vida C. Barber	Appeal Date	9/30/15
Agency	Veterans' Affairs	Decision Date	3/04/16
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus duration of suspension pending discharge.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR  
DECISION IN THE ABOVE MATTER?**

XII. CHAIRMAN REPORT

XIII. STAFF REPORT

XIV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 1:30 p.m. on Friday, April 15, 2016 at  
the Commission's Springfield office.**

XV. MOTION TO ADJOURN